

06/26/01
J1042 U.S. PTO



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J1036 U.S. PTO
09/893124
06/26/01

June 22, 2001

The Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Enclosed herewith is a continuation application from Application Serial No. 09/323,215, filed June 1, 1999 for a U.S. Patent entitled "IMPROVED APPARATUS AND METHOD FOR THE REMEDIATION OF PARTICULATE MATERIAL AND TOXIC POLLUTANTS IN TRANSIT FLUE GAS." The applicant is Richard A. Steinke.

The original application was filed on June 1, 1999, Serial No. 09/923,215, naming the present inventor Richard A. Steinke and Robert W. Hood as joint inventors. With, however, the revision of the present CIP application for clarity and to limit the claims to overcome the cited art, Mr. Hood's contribution to the invention was no longer identified with any one of the Claims of the CIP application. Accordingly, Mr. Richard A. Steinke is now properly listed as the sole inventor.

A Final Patent Office Action dated February 23, 2001, was issued that this CIP application filing is responsive to. Accordingly, here included with the CIP application is a Petition to Extend the Time Period for Response for one (1) month, as well as the required extension fee in the amount of \$55.00 for a Small Entity which the present CIP application still qualifies as.

Applicant here submits new formal drawings for inclusion in this case. Applicant here requests that the patents set out on Forms PTO-1449 Submissions by applicant and those discovered and cited by the Examiner in the prosecution of the parent application, Serial No. 09/323,215 be transferred to the present CIP application.

Applicant here submits new Declaration for Utility or Design Patent Application and Power of Attorney signed by the applicant inventor.

Applicant stipulates that the parent application was subject to an Election/Restriction requirement where applicants elected to prosecute Claims 1-12 drawn to an apparatus, cancelling Claims 13-22 drawn to a method subject to filing these Claims 13-22 in a new Divisional application. Accordingly, applicant here Elects to prosecute Claims 1-12 as here included in this CIP application and cancels Claims 13-22 subject to a filing of a Divisional application on Claims 13-22 with or prior to payment of the Issue Fee on the present CIP application or before Abandonment thereof.

The application includes items as follows:

1. Petition.
2. Specification, Claims and Abstract (21 pages)
(Claims: 2 independent, 22 dependent).
3. Three (3) sheets of patent drawings.
4. Declaration for Utility or Design Patent Application signed by the sole inventor.
5. Power of Attorney signed by the sole inventor or the present CIP Application.
6. A Petition to Extend the Time Period for Response to the Final Office Action from May 23, 2001 to June 23, 2001 and fee is the amount of \$55.00.
7. Check number 1081 is here included for \$410.00 to cover the basic patent application filing fee for a small entity of \$355.00 for a Small Entity and the Petition Fee of \$55.00 for a one-month extension.

Respectfully,



M. Reid Russell
Attorney for Applicant

MRR/rr
Enclosures
Docket No. 7455-CIP.



Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Prior Application Number	09/323,215	
	Filing Date	June 1, 1999	
	First Named Inventor	Richard A. Steinke	
	Group Art Unit	1764	
	Examiner Name	Ridley, B.	
Total Number of Pages in This Submission	35	Attorney Docket Number	7455 CIP

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): New CIP Patent Application.
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

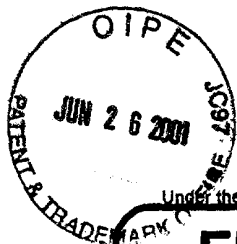
Firm or Individual name	M. Reid Russell
Signature	
Date	June 22, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 06/22/10

Typed or printed name	M. Reid Russell
Signature	
Date	June 22, 2001

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PTO/SB/17 (11-00)
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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 410.00

Complete if Known

Application Number	09/323,215
Filing Date	June 1, 1999
First Named Inventor	Richard A. Steinke
Examiner Name	Ridley, Bassia
Group Art Unit	1764
Attorney Docket No.	7455CIP

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

Deposit
Account
Name

☐ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status
See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money
Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
101	710	201	355	Utility filing fee
106	320	206	160	Design filing fee
107	490	207	245	Plant filing fee
108	710	208	355	Reissue filing fee
114	150	214	75	Provisional filing fee

Fee Paid

355.00

SUBTOTAL (1) (\$) 355.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
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103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	\$55.00
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 55.00

SUBMITTED BY

Name (Print/Type) M. Reid Russell
Signature M. Reid Russell

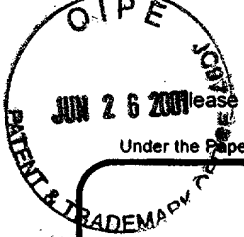
Registration No.
(Attorney/Agent) 26,226


Complete (if applicable)

Telephone (435) 674-5739
Date June 22, 2001

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PTO/SB/122 (10-00)
Approved for use through 10/31/2002. OMB 0651-0035
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

CHANGE OF CORRESPONDENCE ADDRESS Application

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

Application Number	09/323,215
Filing Date	June 1, 1999
First Named Inventor	Richard A. Steinkamp
Group Art Unit	1764
Examiner Name	Ridley, B.
Attorney Docket Number	7455

Please change the Correspondence Address for the above-identified application to:

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M. Reid Russell

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ZIP

84790

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United States

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I am the :

☐

Applicant/Inventor.

☐

Assignee of record of the entire interest.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒

Attorney or Agent of record.

☐

Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number _____

Typed or Printed
Name

M. Reid Russell--Registration No: 26,226

Signature

Date

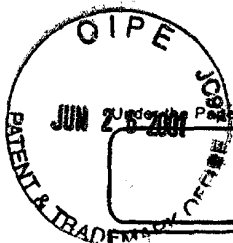
June 21, 2001

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

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*Total of 1 forms are submitted.

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<input checked="" type="checkbox"/> Firm or <input type="checkbox"/> Individual Name	M. Reid Russell				
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Address					
City	St. George	State	Utah	Zip	84790
Country	United States				
Telephone	(435) 674-5739	Fax	(435) 635-3016		

in the following listed application(s) for which the Issue Fee has been paid or patent(s).

PATENT NUMBER (if known)	APPLICATION NUMBER
	Parent Application 09/323,215

(check one)

☐ Applicant/Inventor


Signature

☒ Attorney or Agent of record 26,226
(Reg. No.)

M. Reid Russell
Typed or printed name

☐ Assignee of record of the entire interest. See
37 CFR 3.71. Statement under 37 CFR 3.73(b)
is enclosed. (Form PTO/SB/96)

(435) 674-5739
Customer's telephone number

☐ Assignment recorded at Reel _____ Frame _____ June 21, 2001
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below *

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